

CLASSIFICATION OFFICE DECISION

Title of publication: 000216_Carved

Other known title(s): Not stated

OFLC ref: 2000330.043

Medium: Image File

Maker: Not stated

Country of origin: Not stated

Language: Not applicable

Applicant: Commissioner of Police

Classification: Unrestricted.

Descriptive note: None

Display conditions: None

Date of entry in Register: 25 November 2020

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: 25 November 2020

Summary of reasons for decision:

'000216_Carved' an image of a female wearing a bikini and sitting on a beach. The image involves incidental breast nudity. While the subject is youthful in appearance she does not unequivocally present as a young person - she could equally be considered to be a young adult. The image's mildly provocative tone is not overtly sexual enough to be considered a matter of sex and therefore the image does not get through the s3(1) "subject matter gateway" of the Films, Videos, and Publications Classification Act 1993, nor does it deal with ss3A or 3B of that Act. The publication must therefore be classified as unrestricted. This classification is consistent with the right to freedom of expression as set out in s14 of the New Zealand Bill of Rights Act 1990.